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LAW OFFICE OF

HARRY KRESKY

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October 2, 2000

5102

BY OVERNIGHT DELIVERY

**General Counsel
Federal Election Commission
999 E. Street, NW
Washington, DC 20463**

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
OCT 3 11 29 AM '00

Re: In the Matter of the Complaint of Jeff Graham v. *Buffalo News, et al.*

Dear Sir or Madam:

The above complaint was submitted by letter from this office dated September 22, 2000.

Please accept for consideration in conjunction with it the enclosed affidavit of Sarah Lyons, sworn to October 2, 2000. (original and two copies enclosed)

Very truly yours,



Harry Kresky

8291-504-10-12

FEDERAL ELECTION COMMISSION

In the Matter of the Complaint of
JEFF GRAHAM,

-against-

BUFFALO NEWS, WNED,
NBC TELEVISION and CBS TELEVISION

AFFIDAVIT OF SARAH LYONS

STATE OF NEW YORK)

ss:

COUNTY OF NEW YORK)

SARAH LYONS, being duly sworn, deposes and says:

1. I am the press secretary for the campaign of Jeff Graham, candidate for U.S. Senate from the State of New York on the Independence Party line.
2. On September 28, 2000 I spoke with representatives of CBS TV in New York, NY concerning a debate the station is staging for U.S. Senate candidates on October 8, 2000.
3. On information and belief only the Democratic and Republican Party candidates Hillary Clinton and Rick Lazio, have been invited.
4. I telephoned the Executive Producer of the event, Terry Meyers, in an effort to find out what were the criteria used to decide whom to invite.
5. After leaving a message for Ms. Meyers, I received a call from Julianna Silba in the station's press department.
6. Ms. Silba advised me that the station had no pre-existing objective criteria

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regarding whom to invite and, indeed, no criteria at all.

7. She stated that the station simply invited Ms. Clinton and Mr. Lazio without giving consideration to any other candidates.


SARAH LYONS

Sworn to before me
this October 2, 2000


JOYCE WEISBERGER
NOTARY PUBLIC, State of New York
No. 01WE5060880
Qualified in New York County
Commission Expires May 28, 2002

21-04-405-1630